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Title: The Minister of Parliamentary Affairs made a statement regarding amendments made to the Salary, Allowances and Pension of Members of Parliament Act, 1954 and Rules made thereunder.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF INFORMATION AND BROADCASTING (SHRI PRIYA RANJAN DASMUNSI): Sir, The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 3006 was notified on September 15, 2006. As per this Amendment Act, the Salary and Daily Allowance of the Members of Parliament were revised to Rs. 16,000/- per month and Rs. 1,000/- per day with effect from September 14, 2006. The other provisions of the Act namely, revised road mileage of Rs. 13/- per kilometer, revised minimum pension of Rs. 8,000/- per month, revised minimum family pension of Rs. 4,000/- per month etc. were made effective with effect from September 15, 2006.

As mentioned by me during the discussion of this Bill in this House on August 23, 2006, increase was also proposed in Constituency Allowance to Rs. 20,000 per month; Office Expense Allowance to Rs. 20,000 per month; revision in the ceiling of durable and non-durable furniture to Rs. 60,000 and Rs. 15,000 respectively. These modifications were to be made effective through amendments to the various Rules under this Act. Some of these amendments like revision in the ceiling of durable and non-durable furniture and extension in the retention period of Government accommodation after the demise of a Member were to be made effective from retrospective dates.

Normally, the Rules made under the provisions of this Act are made effective from the date of publication in the Gazette. Hence, the question of giving retrospective effect to some of these facilities was examined in consultation with

* Placed in Library. See No. LT No. LT 5619/2006

the Ministry of Law and Justice. The Law and Justice Ministry has pointed out that Section 9 of the Salary, Allowances and Pension of Members of the Parliament Act, 1954 relating to the power of the Joint Committee to make Rules do not have a provision for giving retrospective effect to the Rules to be framed under the Act, and, therefore, these Rules, if given a retrospective effect, will be *ultra vires* of the Act of 1954.

In view of the above, it was decided to notify the Rules with prospective effect, and to consider the question of amending Section 9 of this Act to make a provision to give retrospective effect to the Rules after following the due procedure.

The amendments in the Rules relating to revised Constituency Allowance, Office Expense Allowance, etc. have since been notified by the Lok Sabha Secretariat with prospective effect, and will be available to the hon. Members of Parliament with effect from December 12, 2006. So far as retrospective is concerned, we will examine it.

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